

Entered - 07/27/01 - sb
CL01L0483 - DIANNE C. MITCHELL

01- *R* -1241

CLAIM OF: **JAMES C. KEEL**
2605 Ben Hill Road
East Point, Georgia 30344

ADOPTED BY
SEP 04 2001
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on July 17, 2001 at 2975 Headland Drive, SW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **JAMES C. KEEL** the sum of **\$1,723.45** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on July 17, 2001 at 2975 Headland Drive, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CERTIFIED
SEP 04 2001
Rosalind Rubens Newell
MUNICIPAL CLERK

FAVORABLE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE **SEP 04 2001**

CHAIR: *C. T. Martin*

[Signature]

[Signature]

APPROVED

SEP 13 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW

CERTIFIED
SEP 04 2001
ATLANTA CITY COUNCIL PRESIDENT
[Signature]



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1241

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **James C. Keel** in the sum of **\$1,723.45** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicle accident on July 17, 2001 at 2975 Headland Drive, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

SEP 04, 2001

SEP 13, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0483

Date: July 31, 2001

Claimant /Victim JAMES C. KEEL

BY: (Atty)(Ins. Co.) _____

Address: 2605 Ben Hill Road, East Point, Georgia 30344

Subrogation: _____ Claim for Property damage \$ 1,723.45 Bodily Injury \$ _____

Date of Notice: 07/26/01 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/17/01 Place: 2975 Headland Drive, SW

Department Public Works Division: Technical Services

Employee involved Edrich L. Sailor Disciplinary Action: Defensive Driving School

NATURE OF CLAIM: The driver of the City vehicle backed into the claimant's vehicle as he was backing out of a parking space causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,723.45 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 08-02-01

Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
 City Hall
 55 Tnnity Avenue, S.W.
 Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 7/26/01

Dear Municipal Clerk:

ENTERED - 7-27-01 - SB

0110483 - DIANNE MITCHELL

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1385.91 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 7/17/01 (month/day/year) 2. Time of Incident: 1525 3. Police called: ✓ Yes No

4. Location of incident (including street address): (K-Mart Parking Lot) 2975 Headland Dr. S.W. Atl. Ga.

5. Name of your insurance company: Cotton States Policy No. GPA1587569

6. State what and how incident occurred: I had backed the truck out to leave the parking lot. I had just put it into 1st gear when Mr. Sailor backed out from the adjacent parking row and struck the driver's side door of my truck with the rear of his car

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Mazda Pickup 1977 999GLA Deborah Keel
 (Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Ford Taurus Edrich Sailor Technical Services Division
 (Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
 (Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

James C. Keel
 Signature of Claimant

James C. Keel
 (Print Claimant's Name)

2605 Ben Hill Rd.
 (Address)

East Point, Ga. 30344
 (City, State and Zip Code)

(404) 761-8861 (404) 669-4005
 (Work Number) (Home Number)

01-P -1241

RCS# 3092
9/04/01
3:36 PM

Atlanta City Council

Regular Session

MULTIPLE

Public Safety Consent Agenda except #15

1241

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE